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8 **IN THE UNITED STATES DISTRICT COURT FOR THE**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 **STEVEN VLASICH,**

11 **Plaintiff,**

12 **v.**

13 **DR. HOFFMAN,**

14 **Defendant.**
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1: 99-CV-6472 AWI WMW P

) **ORDER DENYING MOTION FOR**
) **ADDITIONAL LAW LIBRARY**
) **ACCESS**

) **ORDER CONFIRMING THAT**
) **PLAINTIFF HAS A TRIAL DATE**
) **DEADLINE OF JUNE 10, 2008**

) **(Document #103)**

17
18 Plaintiff Steven Vlasich, an inmate in the custody of the California Department of
19 Corrections, brings this civil rights action against a doctor for violations of his civil rights and
20 medical malpractice. Trial is set for June 10, 2008.

21 On December 11, 2008, Plaintiff filed a motion in which he requests that he be allowed a
22 least three hours per week in the prison law library. Because this federal court is a court of
23 limited jurisdiction, as a threshold matter, the court must have before it a case or controversy
24 before it can issue any orders. Flast v. Cohen, 392 U.S. 83, 88 (1968). Absent such a case or
25 controversy, the court has no power to hear a matter. Rivera v. Freeman, 469 F.2d 1159, 1162-
26 1163 (9th Cir. 1972). In addition, the court is unable to issue any order against individuals who
27 are not parties to a suit pending before it. Zenith Radio Corp. v. Hazeltine Research, Inc., 395
28 U.S. 100 (1969).

1 The underlying claim in this civil rights action concerns an Eighth Amendment claim and
2 malpractice claim against a prison doctor. Because the complaint in this case does not contain
3 allegations concerning law library access and an order requiring prison officials give Plaintiff
4 additional law library access would not be directed at Defendant, the court cannot order Plaintiff
5 be allowed more time in the law library.

6 At the court's telephonic trial confirmation hearing Plaintiff stated that the underlying
7 problem with his ability to get law library access is that he is not under a court deadline. To the
8 extent Plaintiff needs verification that he is going to trial on June 10, 2008 in this action, the
9 court can verify this trial date deadline.

10 Accordingly, Plaintiff's motion for the court to order prison officials to give him more
11 law library access is DENIED. However, the court HEREBY verifies that Plaintiff has a June
12 10, 2008 trial date deadline.

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14 IT IS SO ORDERED.

15 **Dated: May 6, 2008**

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE